

U.S. Department of Labor Occupational Safety and Health Administration
Dr. A.H. McCoy Federal Bldg.
100 West Capitol Street, Suite 749
Jackson, MS 39269
Phone: 601-965-4606 Fax: 601-965-4610



09/16/2016

KOCH FOODS OF MISSISSIPPI, LLC
299 AIRPORT ROAD SOUTH,
Pearl, MS 39208

Dear Employer,

The recent inspection of your workplace revealed no instances of Repeated, Willful, or Failure-To-Abate violations, nor were there a significant number of High Gravity Serious violations. Additionally, the compliance officer has reported that you have a good understanding of the actions necessary to correct the violations cited, and that you are willing to make those corrections by the date(s) specified in the attached citation. These factors, along with the good faith you have exhibited, make your firm eligible for an Expedited Informal Settlement Agreement (EISA). Under this program, an employer and OSHA can enter into an Informal Settlement Agreement without going through the formal procedure of meeting in the Area Office. However, if you decide to enter into the EISA, you should be aware that you relinquish your right to contest the citations and penalties of this inspection.

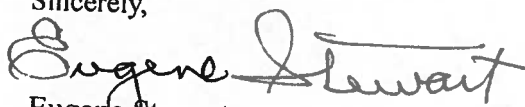
The EISA can be used only where the sole issue of dispute is the dollar amount of proposed penalties. If you wish to discuss, change, or object to any other aspect of the inspection or citations -- including abatement dates, validity of violations, classification of violations -- then the EISA cannot be used. Under those circumstances, you may request an Informal Conference with me and/or exercise your contest rights as explained elsewhere.

You should carefully read the enclosed EISA to determine whether the terms of the agreement are acceptable to you. Key elements of the agreement call for OSHA to agree to a 40 percent reduction in the total penalty amount proposed; for the Employer to correct the violations by the abatement date(s) set forth in the citation(s); for the Employer to provide evidence of corrective actions taken and to provide written certification that all items have been abated at the time of final abatement. (The Certification Correction Action Worksheet is attached to the Citation and Notification of Penalty.) Please note that failure to comply with any of the terms set forth in the agreement will cause the penalty to revert to the initially proposed amount.

The signed agreement and a check for the full amount of the reduced penalty must be delivered to the Area Office prior to the expiration of the 15-working day contest period. If mailed, the letter must be postmarked not later than the day that the 15-working day contest period ends.

If you have any questions regarding the EISA, please contact this office at the phone number listed above.

Sincerely,


Eugene Stewart,
Area Director

IN THE MATTER OF: KOCH FOODS OF MISSISSIPPI, LLC
OSHA INSPECTION # 1133442
ISSUED: 09/16/2016

EXPEDITED INFORMAL SETTLEMENT AGREEMENT

The undersigned EMPLOYER and the undersigned Occupational Safety and Health Administration, (OSHA), in settlement of the above referenced Citation(s) and Notification(s) of Penalty which were issued on 09/16/2016, hereby agree as follows:

1. The EMPLOYER agrees to correct the violations as cited in the above referenced citations.
2. The EMPLOYER agrees to provide evidence of the actions taken to correct the cited violations.
3. Upon correction of all violations, the EMPLOYER agrees to provide written certification to the Area Director that all of the violations have been corrected. The EMPLOYER agrees to post a copy of the written certification for a period of three days in the place the citations were posted as described in paragraph 6 of this AGREEMENT.
4. OSHA agrees that the total penalty is amended to \$45696.60. Failure of the EMPLOYER to comply with the terms of this AGREEMENT shall cause the penalty to revert to the initially proposed penalty of \$76161.00.
5. In consideration of the foregoing amendments and/or modifications to the citations, the EMPLOYER hereby waives its right to contest said citations pursuant to Section 10(c) of the Occupational Safety and Health Act of 1970. It is understood and agreed by the Occupational Safety and Health Administration and the EMPLOYER that the citations as amended and/or modified by this agreement shall be deemed a final order not subject to review by any court or agency.
6. The EMPLOYER agrees to immediately post a copy of this Settlement Agreement in the same manner and place as the Citations (Citations are required by law to be posted in a prominent place at or near the location of the violations). Citations must remain posted until the violations cited have been corrected, or for three working days (excluding weekends and Federal Holidays, whichever is longer.)
7. Each party hereby agrees to bear its own fees and other expenses incurred by such party in connection with any stage of this proceeding.

Company Official and Title

Eugene Stewart,
Area Director

Date Signed

Date Signed

NOTICE TO EMPLOYEES

The law gives you and your representative the opportunity to object to any abatement date set for a violation if you believe the date to be unreasonable. Any contest of the abatement dates of the citations referred to in paragraph 1 of this Settlement Agreement must be mailed to the address below within 15 working days (excluding weekends and Federal Holidays) of the receipt by the Employer of the original citations:

U.S. Department of Labor
Occupational Safety and Health Administration
Dr. A.H. McCoy Federal Bldg. 100 West Capitol Street
Suite 749
Jackson, MS 39269
Phone: 601-965-4606 Fax: 601-965-4610

U.S. Department of Labor

Occupational Safety and Health Administration
Dr. A.H. McCoy Federal Bldg.
100 West Capitol Street Suite 749
Jackson, MS 39269
Phone: 601-965-4606 Fax: 601-965-4610



Citation and Notification of Penalty

To:

KOCH FOODS OF MISSISSIPPI, LLC
and its successors
299 AIRPORT ROAD SOUTH
Pearl, MS 39208

Inspection Number: 1133442

Inspection Date(s): 03/18/2016 - 08/30/2016

Issuance Date: 09/16/2016

Inspection Site:

108 MORRIS TULLOS DRIVE
Morton, MS 39117

The violation(s) described in this Citation and Notification of Penalty is (are) alleged to have occurred on or about the day(s) the inspection was made unless otherwise indicated within the description given below.

This Citation and Notification of Penalty (this Citation) describes violations of the Occupational Safety and Health Act of 1970. The penalty(ies) listed herein is (are) based on these violations. You must abate the violations referred to in this Citation by the dates listed and pay the penalties proposed, unless within 15 working days (excluding weekends and Federal holidays) from your receipt of this Citation and Notification of Penalty **you either call to schedule an informal conference (see paragraph below) or you mail a notice of contest** to the U.S. Department of Labor Area Office at the address shown above. Please refer to the enclosed booklet (OSHA 3000) which outlines your rights and responsibilities and which should be read in conjunction with this form. Issuance of this Citation does not constitute a finding that a violation of the Act has occurred unless there is a failure to contest as provided for in the Act or, if contested, unless this Citation is affirmed by the Review Commission or a court.

Posting - The law requires that a copy of this Citation and Notification of Penalty be posted immediately in a prominent place at or near the location of the violation(s) cited herein, or, if it is not practicable because of the nature of the employer's operations, where it will be readily observable by all affected employees. This Citation must remain posted until the violation(s) cited herein has (have) been abated, or for 3 working days (excluding weekends and Federal holidays), whichever is longer.

Informal Conference - An informal conference is not required. However, if you wish to have such a conference you may request one with the Area Director during the 15 working day contest period. During such an informal conference you may present any evidence or views which you believe would support an adjustment

to the citation(s) and/or penalty(ies).

If you are considering a request for an informal conference to discuss any issues related to this Citation and Notification of Penalty, you must take care to schedule it early enough to allow time to contest after the informal conference, should you decide to do so. Please keep in mind that a written letter of intent to contest must be submitted to the Area Director within 15 working days of your receipt of this Citation. The running of this contest period is not interrupted by an informal conference.

If you decide to request an informal conference, please complete, remove and post the Notice to Employees next to this Citation and Notification of Penalty as soon as the time, date, and place of the informal conference have been determined. Be sure to bring to the conference any and all supporting documentation of existing conditions as well as any abatement steps taken thus far. If conditions warrant, we can enter into an informal settlement agreement which amicably resolves this matter without litigation or contest.

Right to Contest – You have the right to contest this Citation and Notification of Penalty. You may contest all citation items or only individual items. You may also contest proposed penalties and/or abatement dates without contesting the underlying violations. Unless you inform the Area Director in writing that you intend to contest the citation(s) and/or proposed penalty(ies) within 15 working days after receipt, the citation(s) and the proposed penalty(ies) will become a final order of the Occupational Safety and Health Review Commission and may not be reviewed by any court or agency.

Penalty Payment – Penalties are due within 15 working days of receipt of this notification unless contested. (See the enclosed booklet and the additional information provided related to the Debt Collection Act of 1982.) Make your check or money order payable to "DOL-OSHA". Please indicate the Inspection Number on the remittance. You can also make your payment electronically on www.pay.gov. On the left side of the pay.gov homepage, you will see an option to Search Public Forms. Type "OSHA" and click Go. From the results, click on **OSHA Penalty Payment Form**. The direct link is:

<https://www.pay.gov/paygov/forms/formInstance.html?agencyFormId=53090334>.

You will be required to enter your inspection number when making the payment. Payments can be made by credit card or Automated Clearing House (ACH) using your banking information. Payments of \$25,000 or more require a Transaction ID, and also must be paid using ACH. If you require a Transaction ID, please contact the OSHA Debt Collection Team at (202) 693-2170.

OSHA does not agree to any restrictions or conditions or endorsements put on any check, money order, or electronic payment for less than the full amount due, and will process the payments as if these restrictions or conditions do not exist.

Notification of Corrective Action – For each violation which you do not contest, you must provide *abatement certification* to the Area Director of the OSHA office issuing the citation and identified above. This abatement certification is to be provided by letter within 10 calendar days after each abatement date. Abatement certification includes the date and method of abatement. If the citation indicates that the violation was corrected during the inspection, no abatement certification is required for that item. The abatement certification letter must be posted at the location where the violation appeared and the corrective action took place or employees must otherwise be effectively informed about abatement activities. A sample abatement certification letter is enclosed with this Citation. In addition, where the citation indicates that *abatement documentation* is necessary, evidence of the purchase or repair of equipment, photographs or video, receipts, training records, etc., verifying that abatement has occurred is required to be provided to the Area Director.

Employer Discrimination Unlawful – The law prohibits discrimination by an employer against an employee for filing a complaint or for exercising any rights under this Act. An employee who believes that he/she has been discriminated against may file a complaint no later than 30 days after the discrimination occurred with the U.S. Department of Labor Area Office at the address shown above.

Employer Rights and Responsibilities – The enclosed booklet (OSHA 3000) outlines additional employer rights and responsibilities and should be read in conjunction with this notification.

Notice to Employees – The law gives an employee or his/her representative the opportunity to object to any abatement date set for a violation if he/she believes the date to be unreasonable. The contest must be mailed to the U.S. Department of Labor Area Office at the address shown above and postmarked within 15 working days (excluding weekends and Federal holidays) of the receipt by the employer of this Citation and Notification of Penalty.

Inspection Activity Data – You should be aware that OSHA publishes information on its inspection and citation activity on the Internet under the provisions of the Electronic Freedom of Information Act. The information related to these alleged violations will be posted when our system indicates that you have received this citation. You are encouraged to review the information concerning your establishment at www.osha.gov. If you have any dispute with the accuracy of the information displayed, please contact this office.



NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with OSHA to discuss the citation(s) issued on 09/16/2016. The conference will be held by telephone or at the OSHA office located at Dr. A.H. McCoy Federal Bldg. 100 West Capitol Street, Suite 749, Jackson, MS 39269 on _____ at _____. Employees and/or representatives of employees have a right to attend an informal conference.

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 1133442

Company Name: KOCH FOODS OF MISSISSIPPI, LLC
Inspection Site: 108 MORRIS TULLOS DRIVE, Morton, MS 39117
Issuance Date: 09/16/2016

List the specific method of correction for each item on this citation in this package that does not read "Corrected During Inspection" and return to: **U.S. Department of Labor – Occupational Safety and Health Administration, Dr. A.H. McCoy Federal Bldg. 100 West Capitol Street, Suite 749, Jackson, MS 39269**

Citation Number _____ and Item Number _____ was corrected on _____
By (Method of Abatement): _____

Citation Number _____ and Item Number _____ was corrected on _____
By (Method of Abatement): _____

Citation Number _____ and Item Number _____ was corrected on _____
By (Method of Abatement): _____

Citation Number _____ and Item Number _____ was corrected on _____
By (Method of Abatement): _____

Citation Number _____ and Item Number _____ was corrected on _____
By (Method of Abatement): _____

Citation Number _____ and Item Number _____ was corrected on _____
By (Method of Abatement): _____

I certify that the information contained in this document is accurate and that the affected employees and their representatives have been informed of the abatement.

Signature

Date

Typed or Printed Name

Title

NOTE: 29 USC 666(g) whoever knowingly makes any false statements, representation or certification in any application, record, plan or other documents filed or required to be maintained pursuant to the Act shall, upon conviction, be punished by a fine of not more than \$10,000 or by imprisonment of not more than 6 months or both.

POSTING: A copy of completed Corrective Action Worksheet should be posted for employee review

U.S. Department of Labor

Occupational Safety and Health Administration

Inspection Number: 1133442

Inspection Date(s): 03/18/2016 - 08/30/2016

Issuance Date: 09/16/2016



Citation and Notification of Penalty

Company Name: KOCH FOODS OF MISSISSIPPI, LLC

Inspection Site: 108 MORRIS TULLOS DRIVE, Morton, MS 39117

Citation 1 Item 1 Type of Violation: **Serious**

OSH ACT of 1970 Section (5)(a)(1): Public Law 91-596, the Occupational Safety and Health Act of 1970, Section 5(a)(1): The employer did not furnish to each of his employees employment and a place of employment which were free from recognized hazards that were causing or are likely to cause death or serious physical harm to his employees, in that employees were exposed to a struck by hazard as a result of missing latch and load rating on a chain hoist.

(a) Offal - On or about June 1, 2016, a chain hoist used to pull 150 pound filters out of the filter tank lacked a safety latch installed on the hook and a legible label exposing employees to a struck by hazard.

Among other methods, several feasible and acceptable abatement methods to correct these hazards are to: (1) to remove hooks from service if damage or missing latch in accordance with section 10-1.10-5 of ASME B30.10-2009 (2) Conduct Inspections on hoist for missing or defective equipment in accordance with ASME B30.16, dated 2007, Section 16-2.1.3 (Periodic inspection), and Paragraph 16-2.1.3 (frequent inspections), Overhead Hoists. (3) The rated load of the hoist shall be marked on the hoist and shall be legible from the ground of floor to meet requirement of chapter 16-1.1.1. of AMSE B30.16-2007.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$6057.00

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

U.S. Department of Labor
Occupational Safety and Health Administration

Inspection Number: 1133442
Inspection Date(s): 03/18/2016 - 08/30/2016
Issuance Date: 09/16/2016



Citation and Notification of Penalty

Company Name: KOCH FOODS OF MISSISSIPPI, LLC
Inspection Site: 108 MORRIS TULLOS DRIVE, Morton, MS 39117

Citation 1 Item 2 Type of Violation: **Serious**

29 CFR 1910.22(c): Covers and/or guardrails were not provided to protect personnel from the hazards of open pits, tanks, vats, ditches, etc.

(a) Evisceration - On or about June 1, 2016, the employer lack covers over open drains thereby exposing backup gut pullers, sanitation employees and other employees working in evisceration to slip, trip and fall hazards.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

09/26/2016
\$10689.00

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

U.S. Department of Labor
Occupational Safety and Health Administration

Inspection Number: 1133442
Inspection Date(s): 03/18/2016 - 08/30/2016
Issuance Date: 09/16/2016



Citation and Notification of Penalty

Company Name: KOCH FOODS OF MISSISSIPPI, LLC
Inspection Site: 108 MORRIS TULLOS DRIVE, Morton, MS 39117

Citation 1 Item 3 Type of Violation: **Serious**

29 CFR 1910.23(c)(3): Regardless of height, open-sided floors, walkways, platforms, or runways above or adjacent to dangerous equipment, pickling or galvanizing tanks, degreasing units, and similar hazards were not guarded with a standard railing and toe board.

(a) Evisceration 1st Processing - On or about June 8, 2016, an employee was observed hooking and unhooking his lanyard to traverse and clean the drip pans thereby being exposed to a 10 foot fall hazard.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

10/11/2016
\$12471.00

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

U.S. Department of Labor
Occupational Safety and Health Administration

Inspection Number: 1133442
Inspection Date(s): 03/18/2016 - 08/30/2016
Issuance Date: 09/16/2016



Citation and Notification of Penalty

Company Name: KOCH FOODS OF MISSISSIPPI, LLC
Inspection Site: 108 MORRIS TULLOS DRIVE, Morton, MS 39117

The alleged violations below have been grouped because they involve similar or related hazards that may increase the potential for injury or illness.

Citation 1 Item 4 a Type of Violation: **Serious**

29 CFR 1910.23(d)(1): Flights of stairs having four or more risers were not equipped with a standard railing as specified in paragraphs (d)(1)(i) through (v) of this section:

(a) Outside Shipping Department - On or about June 1, 2016, the stairway leading to shipping department lacked mid rails exposing employees to a fall hazard.

Date By Which Violation Must be Abated:
Proposed Penalty:

Quick Fix Applied
\$9086.00

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

U.S. Department of Labor
Occupational Safety and Health Administration

Inspection Number: 1133442
Inspection Date(s): 03/18/2016 - 08/30/2016
Issuance Date: 09/16/2016



Citation and Notification of Penalty

Company Name: KOCH FOODS OF MISSISSIPPI, LLC
Inspection Site: 108 MORRIS TULLOS DRIVE, Morton, MS 39117

Citation 1 Item 4 b Type of Violation: **Serious**

29 CFR 1910.24(h): Standard railings were not provided on the open sides of all exposed stairways and stair platforms:

(a) On or about June 1, 2016 fixed industrial stairs giving access to the waste water tank lacked a mid rail on one open side exposing employees and contractors to a fall hazard.

Date By Which Violation Must be Abated:

Quick Fix Applied

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: KOCH FOODS OF MISSISSIPPI, LLC
Inspection Site: 108 MORRIS TULLOS DRIVE, Morton, MS 39117

Citation 1 Item 5 Type of Violation: **Serious**

29 CFR 1910.146(c)(5)(ii)(B): When an entrance cover was removed, the opening was not promptly guarded by a railing, temporary cover, or other temporary barrier that would prevent an accidental fall through the opening and that would protect each employee

(a) Bone Yard and Near Shipping Office - On or about June 1, 2016 employees were not protected from falling into open storm drains when using hoisting equipment to fish for and hoist pumps hoisted from the storm drains. Employees are exposed to 12-18 foot fall hazard.

(b) Behind Waste Water Treatment - On or about June 1, 2016, employees were not protected from falling into an open pit when using hoisting equipment to fish for and hoist pumps from the pit. Employees are exposed to a 14 foot fall hazard.

Date By Which Violation Must be Abated:
Proposed Penalty:

Quick Fix Applied
\$7572.00

U.S. Department of Labor

Occupational Safety and Health Administration

Inspection Number: 1133442

Inspection Date(s): 03/18/2016 - 08/30/2016

Issuance Date: 09/16/2016



Citation and Notification of Penalty

Company Name: KOCH FOODS OF MISSISSIPPI, LLC

Inspection Site: 108 MORRIS TULLOS DRIVE, Morton, MS 39117

Citation 1 Item 6 Type of Violation: **Serious**

29 CFR 1910.243(c)(1): Abrasive wheel(s) were used on portable grinder(s) which were not provided with safety guard(s) meeting the requirements specified in 29 CFR 1910.243(c)(1) through (c)(4)

(a) Maintenance - On or about June 1, 2016 a grinder used by maintenance employees to grind on sheet metal lacked a guard exposing employees to the hazard of being struck by metal projectiles.

Date By Which Violation Must be Abated:

Proposed Penalty:

Corrected During Inspection

\$7126.00

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: KOCH FOODS OF MISSISSIPPI, LLC
Inspection Site: 108 MORRIS TULLOS DRIVE, Morton, MS 39117

The alleged violations below have been grouped because they involve similar or related hazards that may increase the potential for injury or illness.

Citation 1 Item 7 a Type of Violation: **Serious**

29 CFR 1910.219(c)(4)(i): Unguarded projecting shaft end(s) did not present a smooth edge and end and projected more than one half the diameter of the shaft:

(a) Offall - On or about June 1, 2016, the rotating shaft on the 2nd feather screw conveyor lacked a guard exposing employees assessing the stairway to the hazard of coming in contact with a rotating part.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

Proposed Penalty:

09/26/2016

\$10689.00

U.S. Department of Labor
Occupational Safety and Health Administration

Inspection Number: 1133442
Inspection Date(s): 03/18/2016 - 08/30/2016
Issuance Date: 09/16/2016



Citation and Notification of Penalty

Company Name: KOCH FOODS OF MISSISSIPPI, LLC
Inspection Site: 108 MORRIS TULLOS DRIVE, Morton, MS 39117

Citation 1 Item 7 b Type of Violation: **Serious**

29 CFR 1910.219(c)(4)(ii): The unused keyway(s) of projecting shaft end(s) were not filled up or covered:

(a) Paw Chiller - On or about June 1, 2016 a keyway on a rotating shaft was not guarded exposing employees to the hazard of being struck-by or caught-in rotating part.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

09/26/2016

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: KOCH FOODS OF MISSISSIPPI, LLC
Inspection Site: 108 MORRIS TULLOS DRIVE, Morton, MS 39117

The alleged violations below have been grouped because they involve similar or related hazards that may increase the potential for injury or illness.

Citation 1 Item 8 a Type of Violation: **Serious**

29 CFR 1910.303(b)(6): Unless identified for use in the operating environment, conductors or equipment were located in damp or wet locations; where exposed to gases, fumes, vapors, liquids, or other agents that had a deteriorating effect on the conductors or equipment; or where exposed to excessive temperatures:

(a) Chemical Room - On or about June 8, 2016, employees were exposed to coming in contact with an electrical source because corrosive chemical from the central dispensing system located just above an electrical outlet had leaked onto the outlet and corroded the outlet and conduit. The employer had placed a plastic bag over the electrical outlet.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

09/26/2016
\$12471.00

U.S. Department of Labor
Occupational Safety and Health Administration

Inspection Number: 1133442
Inspection Date(s): 03/18/2016 - 08/30/2016
Issuance Date: 09/16/2016



Citation and Notification of Penalty

Company Name: KOCH FOODS OF MISSISSIPPI, LLC
Inspection Site: 108 MORRIS TULLOS DRIVE, Morton, MS 39117

Citation 1 Item 8 b Type of Violation: **Serious**

29 CFR 1910.305(e)(1): Cabinets, cutout boxes, fittings, boxes, and panelboard enclosures in damp or wet locations were not installed to prevent moisture or water from entering and accumulating within the enclosures:

(a) Chemical Room - On or about June 8, 2016, employees were exposed to the hazard or contacting an energized source due to an electrical outlet being installed directly beneath the chemical central dispensing system. Corrosive chemical had leaked on and corroded the outlet and conduit.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

09/26/2016

A handwritten signature in cursive script that reads "Eugene Stewart".

Eugene Stewart
Area Director

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

U.S. Department of Labor
Occupational Safety and Health Administration
Dr. A.H. McCoy Federal Bldg. 100 West Capitol Street
Suite 749
Jackson, MS 39269
Phone: 601-965-4606 Fax: 601-965-4610



INVOICE / DEBT COLLECTION NOTICE

Company Name: KOCH FOODS OF MISSISSIPPI, LLC
Inspection Site: 108 MORRIS TULLOS DRIVE, Morton, MS 39117
Issuance Date: 09/16/2016

| | |
|---|-------------------|
| Summary of Penalties for Inspection Number | 1133442 |
| Citation 1, Serious | \$76161.00 |
| TOTAL PROPOSED PENALTIES | \$76161.00 |

To avoid additional charges, please remit payment promptly to this Area Office for the total amount of the uncontested penalties summarized above. Make your check or money order payable to: "DOL-OSHA". Please indicate OSHA's Inspection Number (indicated above) on the remittance. You can also make your payment electronically on www.pay.gov. On the left side of the pay.gov homepage, you will see an option to Search Public Forms. Type "OSHA" and click Go. From the results, click on **OSHA Penalty Payment Form**. The direct link is <https://www.pay.gov/paygov/forms/formInstance.html?agencyFormId=53090334>. You will be required to enter your inspection number when making the payment. Payments can be made by credit card or Automated Clearing House (ACH) using your banking information. Payments of \$25,000 or more require a Transaction ID, and also must be paid using ACH. If you require a Transaction ID, please contact the OSHA Debt Collection Team at (202) 693-2170.

OSHA does not agree to any restrictions or conditions or endorsements put on any check, money order, or electronic payment for less than the full amount due, and will cash the check or money order as if these restrictions or conditions do not exist.

If a personal check is issued, it will be converted into an electronic fund transfer (EFT). This means that our bank will copy your check and use the account information on it to electronically debit your account for the amount of the check. The debit from your account will then usually occur within 24 hours and will be shown on your regular account statement. You will not receive your original check back. The bank will destroy your original check, but will keep a copy of it. If the EFT cannot be completed because of insufficient funds or closed account, the bank will attempt to make the transfer up to 2 times.

Pursuant to the Debt Collection Act of 1982 (Public Law 97-365) and regulations of the U.S. Department of Labor (29 CFR Part 20), the Occupational Safety and Health Administration is required to assess interest, delinquent charges, and administrative costs for the collection of delinquent penalty debts for violations of the Occupational Safety and Health Act.

Interest: Interest charges will be assessed at an annual rate determined by the Secretary of the Treasury on all penalty debt amounts not paid within one month (30 calendar days) of the date on which the debt amount becomes due and payable (penalty due date). The current interest rate is one percent (1%). Interest will accrue from the date on which the penalty amounts (as proposed or adjusted) become a final order of the Occupational Safety and Health Review Commission (that is, 15 working days from your receipt of the Citation and Notification of Penalty), unless you file a notice of contest. Interest charges will be waived if the full amount owed is paid within 30 calendar days of the final order.

Delinquent Charges: A debt is considered delinquent if it has not been paid within one month (30 calendar days) of the penalty due date or if a satisfactory payment arrangement has not been made. If the debt remains delinquent for more than 90 calendar days, a delinquent charge of six percent (6%) per annum will be assessed accruing from the date that the debt became delinquent.

Administrative Costs: Agencies of the Department of Labor are required to assess additional charges for the recovery of delinquent debts. These additional charges are administrative costs incurred by the Agency in its attempt to collect an unpaid debt. Administrative costs will be assessed for demand letters sent in an attempt to collect the unpaid debt.



Eugene Stewart

Area Director

9-16-16

Date